

E-Filed 5/17/06

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE MERCURY INTERACTIVE CORP.
DERIVATIVE LITIGATION,

Case Number C 05-4642 JF (PVT)

TERRY KLEIN,

Case Number C 06-2971 JSW

Plaintiff,

v.

ORDER RELATING CASES

AMNON LANDON,

Defendant.

The Court concludes that Case No. C 05-4642 JF (PVT) and Case No. C 06-2971 JSW ARE RELATED. The Clerk's Office SHALL reassign the later-filed case to the undersigned, with a referral to Magistrate Judge Trumbull for discovery matters.

The Court has considered Plaintiff Terry Klein's opposition to relation or consolidation of cases, and finds a number of the points contained therein to be well-taken. The Court clarifies that it is *not* consolidating the cases, but rather is relating them for case management purposes. Plaintiff Klein's counsel may continue to prosecute the Klein action on behalf of their client.

1 This ruling is without prejudice to any party bringing a properly noticed motion for
2 consolidation of the actions pursuant to Civil Local Rule 7-1.

3 IT IS SO ORDERED.

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8 DATED: 5/17/06

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11 JEREMY FOGEL
12 United States District Judge
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Copies of Order served on:

Norman J. Blears nblears@hewm.com, susan.griffin-preston@hellerehrman.com;
yvonne.somek@hellerehrman.com

Jonathan Herschel Bornstein jonathan@bornsteinandbornstein.com

Sara B. Brody sbrody@hewm.com

John D. Cline jcline@jonesday.com, tmdanowski@jonesday.com; pdavids@jonesday.com;
zanderson@jonesday.com

Kirk Andrew Dublin kdublin@jonesday.com, tmdanowski@jonesday.com;
jcline@jonesday.com; emilstein@jonesday.com

Jeffrey S. Facter jfactor@shearman.com, cflood@shearman.com; rcheatham@shearman.com

Frank James Johnson frank@johnsonlawfirmmapc.com, brett@johnsonlawfirmmapc.com

Betsy C. Manifold manifold@whafh.com

Elise Natalie Milstein emilstein@jonesday.com, mcassidy@jonesday.com

Patrick D. Robbins probbins@shearman.com

Eric L. Zagar ezagar@sbclasslaw.com

Stephen Lyle Porter slp@wpglaw.com,